

Medicare program. The final bill stated that if the doctor wanted to treat seniors under private contract, then the doctor had to forgo Medicare participation entirely for two years.

This two-year restriction was designed to protect the program against fraud, guard against a massive exit of physicians from the Medicare program, and ensure that doctors would not create a two-tiered Medicare system—one waiting room for private pay patients who are served first, and one for non-private Medicare beneficiaries who are served last. In the 105th Congress, attempts were made to remove this two-year limitation and give doctors the right to decide not only patient-by-patient, but procedure-by-procedure, which services will be billed through Medicare and which will be billed privately. Fortunately, we have been successful so far in thwarting these efforts, but the campaign of misinformation continues.

Many of you have probably seen the mailings certain interest groups have been sending to our senior constituents in an attempt to distort the facts about private contracts. These mailings are falsely scaring seniors and attempting to trick them into giving up Medicare's balanced billing protections.

Let's retain Medicare's balanced billing limits for all Medicare beneficiaries by eliminating these dangerous private contracts. These billing limits are the only way we can guarantee that all seniors receive the health care they need at reasonable and fair prices.

I urge my colleagues to cosponsor the Medicare Preservation and Restoration Act—a sensible and responsible proposal which will guarantee Medicare for all elderly Americans.

REQUIRING A TWO-THIRDS VOTE ON FAST TRACK

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Mr. TRAFICANT. Mr. Speaker, Article I, Section 8 of the Constitution of the United States of America states: "Congress has the power to lay and collect . . . Duties and to regulate Commerce with foreign Nations." Article II, Section 2 of the Constitution of the United States of America states: "Treaties with foreign government shall be confirmed by a two-thirds majority of the Senate." However, over time, Congress has given away its Constitutional authority and responsibilities to the Executive Branch.

Take fast-track authority, for example. Fast-track proponents claim that this legislative authority is needed to expedite the negotiating process as well as consideration of the implementing legislation through the establishment of deadlines for various legislative stages, a prohibition on amendments, a limit on debate, and a requirement for an up-or-down vote. There are several myths and untruths associated with this argument, however.

The big myth is that the President needs fast track to negotiate trade agreements. The President already has the Constitutional power to conduct foreign affairs and negotiate international trade agreements. However, because Congress must approve any changes to U.S. law that result from trade agreements, fast track proponents purport that fast track is

needed to strengthen the President's stance during trade negotiations and expedite consideration of the implementing legislation. The truth is, the President needs fast track so he can ignore the opinions of the vast majority of Members of Congress.

Fast-track authority, in theory, protects Congress from the delegation of Constitutional authority through the notifications and consultations the President must provide to Congress prior to, and during, trade negotiations. In practice, however, Congress has handed over its Constitutional powers on a silver platter. The President has ignored the directives of large minorities in Congress regarding environmental protection, labor standards and American jobs, then bought the votes of a few with personal promises to gain the simple majority needed for passage.

The fact is, the archetype fast-track legislative authority was designed to give the President additional authority to negotiate customs classifications only. Experience has shown item-by-item consideration of the tariff schedule by Congress to be an arduous process, so the President was granted the ability to negotiate the small points. The bottom line is, the original fast-track was never intended to grant the President the broad authority over a vast array of nontariff issues he enjoys today.

Another myth claims that fast-track process is needed not only to negotiate, but to simply get the trade agreement through the legislative process. Converse to popular thought, however, the fast-track procedure has rarely been implemented. Over 200 trade agreements have been enacted without fast track authority while only five trade agreements have been enacted under this procedure.

Clearly, fast-track authority has digressed from the original intentions of Congress. The President now has broad authority, while Members' hands are tied. Consultations are with a privileged few and merely a formality for the body as a whole. I have introduced legislation to authenticate fast-track legislative authority.

The Trade Act of 1974 recognizes the fast track mechanism as an "exercise of the rule-making power of the House . . ." and maintains the "constitutional right of either House to change its rules at any time, in the same manner and to the same extent as any other rule of the House." In other words, the House may change its rules as it sees fit. The erosion of fast-track legislative intent is more than enough reason for the House to change its rules.

The Traficant resolution amends the rules of the House to require a two-thirds majority vote on any legislation that either authorizes the President to enter into a trade agreement that is implemented pursuant to fast-track procedures, or that implements a trade agreement pursuant to such procedures. By requiring a two-thirds vote rather than a simple majority, the President will no longer be able to ignore the concerns of the vast majority of Members during negotiations and sweeten the agreement later. Trade agreements will take a consensus of both the legislative and executive branches to negotiate—a constitutionally sound solution of which the Founding Fathers would be proud. I urge my colleagues to support this resolution.

TRIBUTE TO GEN. CHARLES KRULAK

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Mr. PACKARD. Mr. Speaker, I would like to pay tribute to General Charles Krulak who is preparing for retirement from the Marine Corps. For the last four years General Krulak has been the commandant of the Marine Corps.

For 70 years, a member of the Krulak family has worn the eagle, globe and anchor. General Charles Krulak continued the tradition set by his father, when he graduated from the Naval Academy in 1964. General Krulak has spent a total of 35 years in the Corps which culminated on July 30, 1995 when he became the 31st commandant.

Mr. Speaker, General Krulak is a shining example of what is best about the Marine Corps. I agree with the former Secretary of Education, William Bennett, when he said, "The Marine Corps is the only institution in the nation that holds to its standards." General Charles Krulak epitomized the respect many of my colleagues here in Congress have for the men and women who serve our nation.

It has been both an honor and a pleasure to work alongside General Krulak in addressing the needs of our Nation's finest soldiers. I would like to thank him for his hard work and his dedication to the Corps in which he has proudly served. I would also like to wish him continued success and happiness in his retirement.

THE "AT HOME WITH ARTS." PROGRAM

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Mr. ROTHMAN. Mr. Speaker, I rise today to pay tribute to a project in my home state of New Jersey that deserves recognition: the "At Home with the ARTS" program. This acronym stands for Alzheimer's Recognition Therapy Service (ARTS). A problem in our society today is the increased presence of Alzheimer's disease. Thanks to a three-year \$217,000 grant by The Robert Wood Johnson Foundation of Princeton, the ARTS program has expanded to assist more families with the crippling effects of Alzheimer's Disease.

The "At Home with the ARTS" program serves two purposes. First, it helps to improve the quality of life for the individual with Alzheimer's, and secondly, it helps the caregiver cope with the effects of the disease. The program assigns a recreational therapist, who is trained in recreation, music, art, or activity therapy, to a patient with Alzheimer's. The therapist and the patient meet once a week for 12 weeks, during which time the therapist tries a variety of activities to see which is best at securing the patient's attention. The most challenging aspect of this program is finding what activity interests the patient.

This program has been successful in helping people such as Beverly Cohen of Teaneck, whose mother is suffering from Alzheimer's. Since her mother was hard of hearing and did not enjoy watching television, Ms.